

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

State of Minnesota, by its  
Attorney General Lori Swanson,

Civil File No. 12-145 RHK/JJK

Plaintiff,

v.

**AFFIDAVIT OF LORI MACKEL**

Accretive Health, Inc.,

Defendant.

Lori Mackel, being first duly sworn on oath, state as follows:

1. My name is Lori Mackel. I am 50 years old and moved to Minnesota in 1989 with my husband, Terry. We've lived in Savage since 1991. I work for Ramsey County Department of Public Health as a dietician and nutrition educator for the Women, Infants and Children Program, a supplemental food program for low income families. Terry and I have been married for 27 years and have two adult daughters, Erika and Ciera. Erika is 24 and works as a preschool teacher. Ciera is 19 and is in college at the University of Northern Iowa. My husband and I are both avid runners, and I have completed 1 full marathon and 10 half marathons.

2. On April 10, 2012, my husband woke up in the middle of the night with severe back pain. He was up all night and couldn't sleep because of the pain. The next morning, I took him to the Park Nicollet Urgent Care Clinic. He was diagnosed with kidney stones, given pain and nausea medication, and sent home. For the next three days, he continued to be in excruciating pain. On Friday, April 13, Park Nicollet Urgent Care

decided he needed to go to the Emergency Room. We first stopped at the Park Nicollet Urgent Care Clinic to pick up Terry's medical records. I then drove him to the Fairview Ridges Emergency Room in Burnsville. I checked Terry into the Emergency Room, and we were taken to a patient room. Terry changed into a hospital gown and a nurse started an IV. At the same time, a man who said he was from the billing office came into our room. He asked us for our name, phone, address, religion and insurance information. I could tell Terry was in extreme pain. A doctor then came in and told us Terry had large kidney stones which he could not pass, so he would need to have surgery. We were told we had to wait in the Emergency Room until a room opened up in the main hospital.

3. I then left the room to make phone calls to family members to tell them Terry was in the Emergency Room. When I came back, Terry told me a woman had come into the room when I was gone and asked him to pay \$363.55 up front for his emergency visit. I was shocked and appalled. Terry was in the most excruciating pain he's ever experienced. IVs were in his arms and he was on medications, in which he was in no condition to be thinking logically to discuss with this woman about business issues and paying a bill. About 5 minutes later, the woman came back into the room, handed me a bill, and told me that we needed to pay \$363.55 to satisfy our insurance deductible. I attach the bill as Exhibit 1. She asked me whether I'd like to pay by cash, check, or credit card. I was completely caught off guard. My first reaction was that money is more important at this hospital than the patient. I was extremely worried about my husband and I did not want Terry's care to be disrupted due to our unwillingness to pay, so I agreed to pay the woman. I was never given the choice to pay now or pay later.

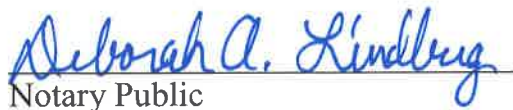
Although I was confused about what the bill was for because Terry's treatment had not yet even been determined, I handed the woman my credit card. The woman handed me a receipt, which I attach as Exhibit 2.

4. On April 26, 2012, I contacted Fairview to express my concerns about these billing procedures. I did not receive an adequate response.

5. When your spouse is in the Emergency Room, you experience gut-wrenching worry. I am upset that I was approached in the middle of an emergency situation to pay for our Emergency Room visit up front, when I should have solely been worried about Terry's health. It's not right that I had to worry about paying a bill when my husband was in the most excruciating pain he has ever experienced. I want these practices to stop so that when someone else's spouse or significant other is in an emergency situation they can focus on what really matters.

  
LORI MACKEL

Subscribed and sworn to before me  
this 15<sup>th</sup> day of May,  
2012.

  
Notary Public

